AGRENT TECHNOLOGIES, INC. Legal Department, DL429 Intellectual Property Administration

P. O. Box 7599 Loveland, Colorado 80537-0599



KET NO. 10831612-2

OCT 1 6 2003
TATES PATENT AND TRADEMARK OFFICE CH CENTER 1600/2900 IN THE UNITED

Inventor(s): Carol T. Schembri

Serial No.: 09/997,564

Examiner: My Chau T Tran

Filing Date: November 28, 2001

Group Art Unit: 1639

Title: Methods and Compositions for Producing Biopolymeric Arrays

COMMISSIONER FOR PATENTS

P.O. Box 1450

Alexandria VA 22313-1450

#### TRANSMITTAL LETTER FOR RESPONSE/AMENDMENT

Si	r:							•
Tr	ansmitted he	erewith is/are the fo	llowing in	the ab	ove-identified a	pplication:		
$\boxtimes$	Response	e/Amendment		Petition to extend time to respond				
	New fee	as calculated below		Supplemental Declaration				
$\boxtimes$	No additional fee (Address envelope to "Mail Stop Non-Fee Amendments")							
$\boxtimes$	] Other: P							
	CLAIMS AS AMENDED BY OTHER THAN A SMALL ENTITY							
	(1) FOR	(2) CLAIMS REMAINING AFTER AMENDMENT	(3) NUMBER EXTRA		(4) HEST NUMBER OUSLY PAID FOR	(5) PRESENT EXTRA	(6) RATE	(7) ADDITIONAL FEES
	TOTAL CLAIMS		MINUS			=	X 18	\$
	INDEP. CLAIMS		MINUS			=	X 86	\$
	☐ FIRST PRE	SENTATION OF A MULT	IPLE DEPEND	DENT CL	AIM		+ 290	\$
	EXTENSION FEE	1 <sup>st</sup> MONTH 110.00 □	2 <sup>ND</sup> MON 420.00		3 <sup>RD</sup> MONTH 950.00	_	MONTH BO.00	\$
	OTHER FEES							\$
	TOTAL ADDITIONAL FEE FOR THIS AMENDMENT							\$

Charge \$0 to Deposit Account 50-1078. At any time during the pendency of this application, please charge any fees required or credit any over payment to Deposit Account 50-1078 pursuant to 37 CFR 1.2 5. Additionally please charge any fees to Deposit Account 50-1078 under 37 CFR 1.16, 1.17, 1.19, 1.20 and the second of the

"Express Mail" label no. EV333999185US

Date of Deposit: October 8, 2003

I hereby certify that this is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on The date indicated above and is addressed to: Commissioner for Patents, P.O. Box 1450,

aceda

Alexandria VA 22313-1450.

Typed Name: Donna Macedo

Respectfully submitted,

By

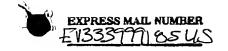
Bret Field for Gordon Stewart Attorney/Agent for Applicant(s)

Reg. No. 37,620

Date: October 8, 2003

Telephone No. (650) 485-2386







#5 11/20/02

## RESPONSE TO RESTRICTION REQUIREMENT

Address to: Commissioner for Patents P.O. Box 1450 Arlington VA 22313-1450

Attorney Docket Confirmation No.	10981612-2
First Named Inventor	Carol T. Schembri
Application Number	09/997,564
Filing Date	11/28/2001
Group Art Unit	1639
Examiner Name	My Chau T Tran
Title	Methods and
	Compositions for
	Producing Biopolymeric
	Arrays

Dear Sir:

This communication is responsive to the office communication dated September 10, 2003.

In the above referenced office communication, the Examiner imposed a restriction requirement, requiring the election of the claims of either:

Group I, i.e., Claims 1-7; Group II, i.e., Claim 17; Group III, i.e., Claims 18-19; Group IV, i.e., Claim 20; Group V, i.e, Claims 21-23; or Group VI, i.e., Claims 24-27;

for further prosecution in this application.

The Applicant hereby elects Group III with traverse.

The Applicant also respectfully urges the Examiner to rejoin the claims of at least Groups IV, V and VI with the elected claims of Group III for examination in this application for the following reasons.

The MPEP allows an Examiner to examine otherwise patentably distinct sets of claims if to so would not impose an undue burden on the Examiner. M.P.E.P. § 8.03 states that:

If the search and examination of an entire application can be made without serious burden, the examiner must examine it on the merits, even though it includes claims to independent or distinct inventions.

In the present case, Claim 20 of Group IV is a species of the generic claims of elected Group III. Furthermore, the kit claims of Group V all include the claimed array of Group III, and the method claims of Group VI employ the elected arrays of Group

**DATE: Oct ber 8, 2003** 

## EV333999185US

# THE EXPRESS MAIL NUMBER OF THE DAY IS: EV333999185US The person taking the Express Mail t the Post Offic is: Alicia Silvestrini

### **EXPRESS MAIL CERTIFICATION**

Date of Deposit: 10/08/03 I hereby certify that the below-listed papers or fees were inserted into a package addressed to: Commissioner for Patents, PO BOX 1450, Alexandria, Virginia 22313-1450 and was deposited by me with the United States Postal Service "Express Mail Post Office Addressee" service under 37 C.F.R. § 1.10 on the date indicated above.

Signature Date  $\frac{10/8/03}{}$ 

Atty. Docket No.	Y Description		Atty.	Fee
STAN-210	09/682,706	Petition for a 3 Month Extension of Time in duplicate	PJS ·	\$475
AERX-GEN1 Notification of Change of Entity Status, Exhibit 1		KYB		
AERX- 055CON5	1 10/21/2 80/7 1		KYB	\$950
Request for RCE Transmittal, Fee Transmittal in duplicate, Petition for a 3-1 Month Extension of Time		CML	\$1,610	
STAN-270   10/449, 795   Executed Declaration, Formal		Transmittal, Fee Transmittal in duplicate, Executed Declaration, Formal Drawing Transmittal, (7) Sheets of Figures	PJS	\$65
AGIL-006DIV	GIL-006DIV 09/997,564 Transmittal, Restriction Election		BEF	
UCAL-062CON			KYB	
STAN-205CIP   10/404,599   Notice		Transmittal, Fee Transmittal in duplicate, Copy of Notice to File Missing Parts, Executed Declaration	PJS	\$65



Creation date: 05-13-2004

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Legal Date: 01-27-2004

No.	Doccode	Number of pages
1	CTNF	6
2	892	1
3	1449	4

Total number of pages: 11

Remarks:

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